

## Emergencies Act FMM - 2022 02 14

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**From:** "Mendicino-p, Marco" </o=exchangelabs/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn=81272a94df69497a973f4db45ab7d804-mendicino,">

**To:** "Mendicino, Marco - Personal" <[irrelevant]@parl.gc.ca>

**Date:** Tue, 15 Feb 2022 14:48:38 +0000

1. This is a carefully and consideration of the Emergencies Act
  - a. Public order emergency
  - b. Public welfare emergency
2. Law enforcement has been responding to a series of unprecedented blockades that have infiltrated our
  - a. Critical infrastructure, like borders, legislatures, public spaces and denigrating our most sacred
3. Harm done to our communities, our economy, supply chains, and to Canadians
4. Law enforcement has been responding, and we've seen some success, but it's clear that there are still challenges
  - a.
5. This step will afford law enforcement exceptional authorities to protect our borders, our infrastructure & economy and most importantly, the health and safety of all Canadians.

- Regulation and prohibition of public assembly that may lead to breach of peace
- Designated certain spaces that are to be prohibited around
- Directing persons to rend essential services to relieve impacts of blockades (tow trucks)
- Authorizing financial services to address the impacts of
- Authorize RCMP to enforce provincial and municipal
- Impose fines and imprisonment
- It's scalable

These powers are intended to be compatible and supportive to provincial authorities.

These powers are not about bringing in the military to enforce public order

The decision was taken by the cabinet, in consultation with provincial and territorial partners.

The authorities granted under the Emergencies Act are measured, scalable and necessary. They're proportionate to the urgent circumstances that we find ourselves in.

I am confident that law enforcement will exercise these authorities in a manner that is responsible, consistent with the charter and guided by the paramount objective of upholding the law & maintaining public safety.

It is our hope that these special and time limited measures under the Emergencies Act will expedite the swift and peaceful resolution of the illegal blockades and get Canadians moving again.

Caucus

s.37



7.

FMM Call

PM

1. This consultation is not a box ticking exercise
2. We need to consult
3. This is not about displacing or superseding provincial
4. This would supplement existing authorities
5. Reached the level of national emergency threats to Canada's security
6. Declaration is an extraordinary steps, and a measure of last
7. This is not about bringing about the military in any way shape or form
8. Targeted, specific and temporary
9. Charter compliant
10. We want to seek your advice
11. Work collaboratively and cooperatively
- 12.

AGC

1. PM considering invoking the Emergencies Act to supplement provincial authorities
2. The test
  - a. Seriously endangering the life; seriously threaten to sovereignty
  - b. Crisis shows provincial gaps in authority
  - c. Crisis shows no existing act
3. Once emergency act declared, wide range of powers, that can be enumerated
4. Emergencies act does not require all powers be invoked
5. Procedurally
  - a. Consultations with PTs
  - b.
6. Blockades
  - a. Present unique challenges
  - b. Resourcing
7. Specific measures
  - a. Regulation of prohibition in public assembly that could lead to breach
  - b. Designating public spaces where assembly
  - c. Directing essential services to provide (tow trucks, drivers, compensation)
  - d. Directing financial services to (property, funding) to support the blockade
  - e. Directing RCMP to enforce provincial and municipal authorities
  - f. Fines and imprisonment for any breach of the Emergency

Dominic

8. We have been working with your provincial
9. Mendicino, Blair, Alghabra and have been working closely
10. LeBlanc here to support; we
11. This is an opportunity to use all of the available
12. We're not stepping into displace provincial authorities
13. Supplementing provincial authorities
14. Ongoing coordination
15. Continue to be engaged in premiers

BC – Horrigan

- The measures sound measures and practical
- We are as susceptible as anybody
- Coutts
- We had protests, but they have been shrinking in size
- Local law enforcement has been
- Only concern
- **RCMP**

- o **Resources stretched**

- o

Sandy Silver Yukon

- You did meet with Opposition leaders
- Did this conversation come up with the
  - o PM: Emergencies Act didn't come up directly

NWT – Carolyn Cochrane

- Ethical dilemma
- Remember a few years ago, I don't want blood on my mind
- I don't like to see people getting hurt
- We don't have the capacity
- We need support; we only have a couple of highways, and they're looking at blocking
- Rely on the RCMP;
- We would need tow trucks
- Our companies
- The longer the blockades
- We would rely on the rcmp; rely
- I would want to get
- I support the Emergencies Act
- If youre bringing in the army, pls bring back fro consultation

AB – Kenney

- Coutts
- 900 protestors went home
- 100 hard core
- Intermittent closure of lanes
- **RCMP checkpoints have become a magnet for sympathizers**
- **Quite a circus environment**
- We had tried with enforcement
- About a week ago, intelligence of hardcore violent cell within Coutts "die for their cause"
- We have tried to turn the temperature
- Unless there's an unexpected surprise
- We're very problematic to declare Emergencies Act
  - o We just need to
  - o I think the declaration of further radicalizing
  - o Might make the situation worse
- Folks at the core of this movement are not rational; deeply given to
- Invoking the equivalent of martial law will be seen as a provocation
- Can't make a judgment call
- **In Alberta, I think we have the situation under control**
  - o **Could use our own**
- Last FMM, we asked you to reconsider vaccine passport

- o PM:
  - § Blockades are not about truckers / mandates / passports
  - § I understand your concern
  - § Note them carefully

#### SK – Moe

- Sit report
- Multiple protests are heading for borders, legislature
- Our RCMP, provincial and municipal have done a remarkable job
- Credit to the RCMP for
- 1) What tools will Emergencies Act provide that aren't already available
  - o In many cases, police already have the authorities they need (mischief)
  - o Windsor
  - o Can't
- What's at the core
- 2) Get rid of mandates, that is the most effective tool at getting rid of the blockades
- 3) invoking Emergencies Act will inflame the situation
  - o PM: do highlight the effectiveness of POJs, like SK, Toronto and Quebec City
  - o Other places where there is progress
  - o

#### Moe

- Deputizing
  - o Lametti: give additional degree of flexibility
  - o Designate areas
  - o

#### Manitoba ,

- Justice officials have been working closely
- RCMP are confident that they have tools they need
- Emerson will be
- My concern
  - o When we're moving in one direction
  - o We don't want to inflame the situation
- If there was a plan to de-escalate the border, that might help to de-escalate
- President Biden
- Had discussion with Gov of North Dakota, loosening
- Emergencies Act
  - o PM
  - o Hear the consistent point from prairies; need to separate out the point about concerns with vaccine mandates and the illegal blockades; the blockades are about
  - o Public safety is not
  - o We will be
  - o PM: Biden

#### Nunavut

- No direct impact in the blockades in Nunavut, it's had a direct impact on our food supply
- Had impact on medical services, chain of supply
- We wanted to acknowledge the state of emergency that Doug Ford

#### ON

- I understand what you're saying
- I have a little different approach when it comes
- The only way de-escalated
- We through overwhelming
- 3B –
- 700M of trade
- We can't allow the few to affect the many
- The goods that are being
- Ambassador
- We cannot jeopardize the livelihood
- They're occupiers.
- Nothing is more important than keeping our
- I have zero tolerance
- They're not truckers.
- Our trucking association
- I don't like this, I
- But they're jeopardizing
- I'm getting calls from CEOs questioning whether we're a stable
- Auto sector; food; we can't allow them to hold us hostage
- The only thing they understand is the police, and then start thinking
- I believe we should be getting mandates, I hate the passports, but the timeframe
- We're not going to have these people disrupt our lives;
- They're creating anarchy
- Toronto, give a shout out:
- Give a shout: RCMP, OPP and local enforcements
- Root cause: the size of Canada
- We can't get a damn tow trucks
- We can assure we're going to tra
- I support the PM in moving forward; focusing
  - o PM: provision of essential services
  - o On a personal level, OPP and RCMP

#### QC, Legault

- Situation in Ottawa
- 1) We have to do what needs to be done in ON
- 2) we don't have this kind of problem in QC, BUT we have to
- 3) we don't want the Emergencies Act to apply in Quebec
  - o PM: Lacolle crossing
  - o We're establishing lists and designating lists
- 4) we don't want the RCMP in
  - o PM: this is not supplanting local police of jurisdiction;
  - o PM : the current blockades in Ottawa are affecting the whole NCR; it may well involve working with the SDQ and Gatineau Police
- 5) Lametti
  - o The consent of any one province isn't necessary is

#### NB , Higgs

- The situation is prefaced by Ottawa
- We've all gone through it
- We declared our own

- Measures
- PEI, Kevin
  - Supportive
  -
- NS, Tim Houston
  - It's time to move forward, not backward
  - The situation is disgusting
  - We don't have those issues in NS
  - I believe law enforcement
  - I do worry about going backwards
  - I think invoking Emergencies Act
  - Very concerned
- Furey, Newfoundland
  - Situation is unacceptable
  - Can't dismiss
  - Points
  - Inflammation of the silent majority
  - This is not about vaccine
  - Nation
  - Set future precedent; what are we going to do the next time there's a group
  - We can't placate the small lot
  - If there is any
    - o Medicine, foods
  - Situation can't be tolerated
    - o PM
- PM
  - Will be writing you later
  - I'm very conscious of the
  - Looking forward to lifting restrictions
  - Ukraine
    - o
- Me:
  - Conversations with counterparts
  - Leveraging existing authorities
    - o Article 9.2
    - o Transferring
  - Have made some progress:
  - Other areas more challenging:
  - Emergencies Act
    - o Agility
    - o Measured, scalable and
    - o **Prohibiting spaces, particularly around borders**
    - o moving assets, tools like tow trucks, barriers
    - o
    - o RCMP enforcement
  - Prevention
  - Broad
  - Inflammation:

o Not bringing in the